

DAILY PROCEEDINGS IN FAMOUS DEPORTATION TRIALS IN COCHISE COUNTY SUPERIOR COURT

MONDAY

The session of the superior court in the deportation cases did not start until this afternoon, when the case against H. E. Wootton was resumed at 2 o'clock. Out of the panel of 400 jurors which was drawn Thursday afternoon about 200 could be found in the county by Sheriff McDonald and his deputies, and when the roll was called slightly over 200 reported. Following the call of the roll, when Judge Pattee announced he would hear exemptions many applied for exemptions from the panel for various reasons after which the men in the employ of the various companies were asked to report. When they had all been checked off there remained on the list to be examined on the Wootton case only 63 talesmen, from which seven more men must qualify before the required twenty four can be completed from which the twelve talesmen to try the case will be selected.

The calling of the roll and hearing of exemptions occupied the better part of an hour and a half.

At 2:30, following the hearing of exemptions, Judge Pattee, after admonishing the jury, declared a recess until tomorrow morning at 10 o'clock when the examination of prospective jurors will be started in an effort to complete the panel for the Wootton case.

When granting of exemptions were concluded, there remained on the panel 63 out of the 200 who reported, 58 having been excused on various valid grounds and 79 for being in the employ of either of the mining companies. This did not include the employees of the E. P. & S. W. railroad company, which was objected to by Assistant County Attorney G. M. Roark on the grounds that this company was not among the list of defendants. It is understood the defense will challenge the state on this point when court opens tomorrow. There are about 15 railroad men on the panel of 63 remaining.

Attorney A. A. Worsley, who takes the place of County Attorney French, who leaves tomorrow for Los Angeles to undergo treatment for cancer, did not appear in the court room this afternoon, the interests of the state being looked after by Assistant County Attorneys Roark and Jos Hansen.

TUESDAY

TODAY'S PROGRESS MARKED BY IMPORTANT RULINGS

AFTERNOON SESSION

The afternoon session of court in the trial of the case against H. E. Wootton, was marked by a number of interesting occurrences chiefly several clashes of attorneys for both sides during the examination of jurors.

Out of 41 veniremen examined up to 3:40, when the court announced a recess for ten minutes only two more were added to the list, with the ruling on another reserved by the court. This left the panel with 19 out of the required 24, and possibly not over a dozen more talesmen on the list to be called.

When court convened at 2 o'clock the question of more jurors was brought up by the prosecution, and considerable discussion followed several plans being discussed, principally the plan of drawing 500 men, 100 to report each day. Following considerable argument the court deferred action on this point.

The two veniremen passed and accepted on the panel were Wm. A. Lythe a dry farmer living near Douglas and T. C. Haney, residing at Pirtleville. Both were passed after close questioning by both sides.

Another feature which marked the afternoon proceedings was the attitude of chief Prosecutor A. A. Worsley when a number of times he passed jurors without examination, and they were challenged by the defense.

When R. S. Thompson, brakeman on the E. P. & S. W. was called and was challenged by the defense, the state resisted, owing

to the fact that officials of the company were defendants, and under the ruling of the court all railroad employees would be exempt. The court ruled in the defense's favor.

The first outcropping of the question involving labor unions with regard to the prosecutions made its appearance during the afternoon examinations when T. A. Tyler, the 13th juror to be examined was challenged by the defense, when he admitted that he was secretary of the Metal Mine Worker's union, at Douglas, a branch of the A. F. L. and that his local had contributed funds for the support of witnesses in the cases.

The juror on which the court reserved ruling is Murray MacInernay, a resident of Douglas. He is 70 years old. Following a severe questioning by the defense he was passed, while the state raised objections, claiming he had an opinion. The question of his age and physical powers to sit in the case during several weeks trial was also raised and will be settled by the court, probably this evening or the first thing tomorrow morning.

Should the panel remaining to be examined be exhausted by evening recess it is possible the court will adjourn until Thursday or Friday morning, according to the agreement reached on the method of drawing the jury.

MORNING SESSION

At the morning session which started promptly at 10 o'clock the only occurrence of interest was the impeachment of juror A. J. Cobb, who qualified on the panel last Wednesday.

When court opened this morning Attorney Curley for the defense announced that he wished to recall Mr. Cobb, and asked the juror whether or not he did not make a statement that "the deporters ought to be put in the penitentiary." The statement was alleged to have been made in Cobb's pool hall in Douglas shortly after the deportation.

The juror denied the accusation and the defense called a J. W. Stone to the stand who had been a former partner of Cobb in the pool hall, who swore that Cobb told him all the deporters should be made to serve a term in the pen. Following a tilt between counsel for both sides the court sustained the challenge for the defense on the same grounds that previous challenges had been sustained, and Cobb was excused from the panel. This left the panel with one less juror and the examination of 32 jurors during the entire morning session was productive of only one more talesman, which brought the panel back to 17, where it was last Thursday afternoon when court adjourned until Monday.

M. P. Cosby, farmer and game warden living at Pomerene was one juror who passed.

The following jurors were examined and excused for various causes, mostly for having fixed opinions:

Jas. Anderson, Douglas; Baptiste Caretto, Bisbee; M. L. Armstrong, Naco; J. W. Haverly, Garces; S. S. Bailey, Warren; A. Redus, Wilcox; J. W. Daniels, Bisbee; Nels Okestrom, Warren; L. R. Gary, Pearce; John Woods, Warren; J. T. Piffitt, Benson; Jas. Weigman, Bisbee; H. B. Miller, Sulphur Spring Valley; Frank Lopez, Pirtleville, did not have thorough understanding of English language; J. J. Quill, Bisbee; A. Berquist, Warren; J. Minors, Wilcox; John H. Wakefield, hard of hearing; Louis McElroy, Dos Cabezas; John H. Watson, Bisbee; E. A. Needle, Wilcox; Jake Sample, Lowell; R. G. Wells, Elfrida; Norton E. Siggins, Courtland; V. Weist, Douglas; Jos. T. Downs, Bisbee; R. P. Davison, Douglas; John E. McNeil, Benson; J. K. Hubbard, Wilcox; W. P. Stewart, Douglas; R. H. Guthrie, Douglas.

Court then adjourned until 2 o'clock this afternoon, when the examination of talesmen would be resumed.

ed, with about 50 men on the list from which seven more jurors must be secured to complete the panel of 24, out of which the 12 men to try H. E. Wootton, Bisbee hard-ware merchant will be selected.

Attorney A. A. Worsley of Tucson, who has taken the place of County Attorney R. N. French as chief prosecutor appeared in court for the first time this morning since he has taken charge, and conducted the examination of jurors for the state. He announced that Mr. French was not able to leave his bed this morning.

WEDNESDAY

The most interesting development in yesterday's trial of the case against H. E. Wootton occurred shortly before adjournment until Friday was taken at 5 o'clock, when 1 Chastain, a barber of Bowie, was excused from jury service, when the question as to his loyalty to the country was raised.

Chastain had been passed by the defense and a challenge by Curley, assistant chief attorney for the defense on grounds of bias had been overruled by the court, when Curley asked the venireman if he had been arrested during the war on charges connected with his loyalty. Chastain said he had and the charges were, "I tore down the American flag, threw it on the ground and spat on it."

Asked whether he had been found guilty or acquitted, he said, "Found guilty."

Judge Samuel L. Pattee then interrupted the statement that "No man ever found guilty of disloyalty was fit to sit on a jury."

A. A. Worsley, special prosecutor in charge of the cases for the state, declared to the court that Chastain in the superior court here had been dismissed on motion of the prosecuting attorney because the charges on investigation had been shown unfounded.

"No man will ever sit on a jury in a court where I provide if there is the least suspicion as to his loyalty," declared Judge Pattee.

"No man is guilty until he is proven guilty," answered Worsley, "and this man was discharged by the superior court here on motion of the county attorney because there was no evidence to convict."

Judge Pattee then withheld his ruling on the defense challenge until records in Chastain's case could be looked up. Chastain, after court adjourned was called to the bench by Judge Pattee and excused.

Worsley, after court adjourned, said a flag had been nailed to the door of Chastain's barber shop at Bowie by two men who dared him to take it down. Chastain, he said, did take the flag from the door then and placed it inside his shop.

Twenty jurors had been tentatively passed when court adjourned until Friday at 2 p. m., for the drawing of a fifth venire, which will be of 500 names, making 1830 names thus far drawn for jury duty in the first deportation case. Five jurors were passed, but Murray McInerney of Douglas was excused by Judge Pattee later on account of the juror's age of 70 years and fear for his health might break down during the trial. The jurors selected yesterday were:

P. L. Cosby, Benson, dry farmer; William A. Lythe, rancher, living near Douglas; T. C. Haynie, Douglas; E. A. Lyall, Light, rancher. Following the examination of Chastain, the panel having been exhausted Judge Pattee announced he would adjourn until 2 o'clock Friday afternoon when a panel of 300 more jurors would report for service. The drawing was held this morning and this afternoon deputies from the office of Sheriff McDonald started for all parts of the county in an effort to have the veniremen here in time for opening of court Friday afternoon. Four more jurors to complete the panel of 24 must be secured out of those who will report Friday.

Another venire of jurors will probably also be drawn tomorrow to report the first of the week, should not the required five jurors be secured out of the present panel. Following are the jurors who were reported into court by the sheriff. H. F. Mateson, Ernest Wetenkemp, Edward S. Groves, W. F. Kelly, W. L. Dean, Warren. Bob Rudasell, R. C. Mallehan, R. W. Peraan, C. P. Douglas, E. W. Brown, J. K. Boyd, J. P. Biggs, Ed Powell, M. Eugene Dudgee, C. F. Miller, A. C. Prescott, J. W. Speer, W. E. Cummings, A. E. Hinton, Geo. W. Turley, W. W. Young, C. B. Wiggins, M. J. Anderson, J. P. Sexton, Delmer Gordon, Frederick Rice, Wm. Thaw, W. B. Spicer, G. H. Hurst, Elmer Fugate, John S. Hall, W. E. Rountree, Leslie Cantenwine, Orin Wells, H. A. Wimberly, G. W. Pratt, Douglas.

K. N. Koplen, B. F. Holland, Tombstone. R. W. Worthington, Leroy L. Walton, A. O. Johnson, Harry Walters, Wm. Luke, Carl Alfred Holmes, W. C. Hughes, Robt. S. Brown, Ed

FRIDAY

After Judge Samuel Pattee had completed the granting of exemptions to those entitled to them in the panel of 119 that was returned by the sheriff out of 300 drawn, there remained this afternoon only 45 out of 165 that answered to their names when the roll was called this afternoon.

Court convened at 2 o'clock this afternoon and Sheriff McDonald's return showed that 119 men had been subpoenaed out of the 300 drawn, which was about 40 per cent of the total number. Many could not be reached, the sheriff explained, owing to the short time allowed for he and his deputies to find them.

Owing to the weather conditions, however, 14 out of the 119 did not report in time this afternoon, but sent word that they were on their way. Most of these were residents of the northern part of the county, and are expected to arrive in the Benson train late this afternoon.

Following roll call, Judge Pattee asked that all company men come forward and be excused and 54 presented valid claims and were excused on those grounds. Following this came general exemptions and 29 others sent the same way leaving 43 remaining on the panel from which five more jurors must now be drawn to complete the panel of 24, one man who had already been passed for peremptory challenge, having been deducted from the panel yesterday. He was R. T. Lewis, of McNeal, who is now in the hospital at Douglas suffering from gunshot wounds alleged to have been inflicted by J. B. Seal during a fight night before last. With Lewis off the panel 43 brought the number down to 19. Out of the 15 who will report on arrival there will probably be 50 per cent exemptions, which will leave the total panel from which prospective jurors may be drawn down to the neighborhood of 50.

At 3:10 work of granting exemptions had been completed and Judge Pattee declared a recess until 4 o'clock in order to allow time for Clerk J. E. James to prepare the names for the jury box from which they will be drawn for examination. Should the examination of the jurors be not completed when evening recess is taken Judge Pattee will hold court tomorrow to expedite the work of securing the jury as much as possible, while Judge Lockwood will hold his regular Saturday court in chambers.

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asher, Pat McLaughlin, George Scott, John Coughlin, G. J. Kimbrough, Alfred Peterson, David Armit, A. D. Fair, J. B. Burns, Wm. Menie, Lowell.

Wm. H. Bowering, Thomas Kelly, John E. Bevin, A. D. Brown, W. G. Jefferies, J. J. Finnell, T. B. Reed, F. G. Lamb, W. B. Kelly, Wm. Hawley, Bisbee.

E. A. Schilling, Wilcox. Clarence D. LeSuer, C. P. Phillips, Garces.

J. C. Calhoun, Hereford. Ben Greenbly, J. L. Park, C. F. Spoder, L. Lockhart, W. A. Morris, Jos. W. Hall, Douglas.

Peter A. Loggreen, E. H. Tilton, St. David.

Geo. E. Johns, Wm. Gregory, Thos. A. Murphy, Lowell. Matt Koehl, Central Bridge.

A. B. Short, Fred W. Heyne, B. G. May, Rucker.

J. W. Marden, J. W. Rickhart, A. Williamson, Lusk.

Geo. Hansen, John W. Donally, F. J. Randall, T. C. Latimer, James E. Donnelly, Chas. J. Gardner, McNeal, E. J. Casteneda, Johnson.

RICH LEGISLATORS WON'T ACCEPT PAY

PHOENIX, Feb. 18.—Pity the poor state auditor! He can't make some of those legislature guys take their money. Auditor Jesse L. Boyce is absent on a vacation jaunt to Mexico to rest his tired nerves, but Deputy M. S. Stanley is on the job and cursing about those birds who fly away before he can pay them.

Stanley admits that most of the legislature members are not that way, most of them making a bargain-counter scramble for his office just the minute the legislature adjourns but some of the bunch can't carry any more than they've already got and they have to be chased.

There is no exaggeration about chasing them, Stanley says, he claims that chasing business to be an actual fact, those millionaire legislators having no time to collect weekly pay at the rate of a paltry \$1 a day. To the auditor's office the indifference of the millionaires is extremely annoying as the money can't be gotten off the books until it is paid.

The vouchers for the money are part of the state records and can't be mailed to the offices of the millionaires, the only place where the vouchers can be signed being in the auditor's office. Hence, according to the deputy, in order to keep the books cleaned up it is absolutely necessary to chase, pursue, hound, run down, and otherwise capture the recalcitrant togatothers who hate so like thunder to be paid.

It's the same old story every year Stanley says, half of the bunch insists on being paid in a hurry while the other half dodges out during the interval when the auditor's bunch is grousing up the insistent ones. Because of the house regulations it is not permissible to lock the capitol doors until everybody is thoroughly paid.

SPECIAL SESSION COST EVEN \$2,383

PHOENIX, Feb. 18.—It took just \$2,383 to pay for the special session of the legislature held here on February 12, according to Deputy Auditor M. S. Stanley, the members receiving \$350 pay and \$2,008 for mileage while a little bill of \$25 was rung in to pay for clerical hire.

Representative Charles R. Waters, Oatman, was excused from the session on account of bereavement, and by virtue of the excuse is entitled to pay but not to mileage. Representatives M. M. Little and J. W. Sullivan were absent without excuse and therefore collect no pay or mileage.

THREE COPIES TO THE EAST PHOENIX, Feb. 18.—Three copies of the suffrage ratification resolution, adopted yesterday by the legislative special session, were started toward Washington today to be delivered to the secretary of state, the presiding officer of the senate and the speaker of the house.

NEW MEXICO MAY REFUSE TO RATIFY SUFFRAGE MEASURE

SANTA FE, N. M., Feb. 17.—The special session of the New Mexico legislature met at noon today. Governor Larrazolo's message which was read to a joint session, included a request for legislation to authorize the appropriation of funds to defray the state's proportion of the expense of reorganizing the national guard, ratification of the federal suffrage amendment, a levy to enable local health authorities to fight influenza, and other epidemics, revision of the state income tax law and amendment of the present soldier settlement act.

It is not certain that the suffrage amendment will be ratified, and the news that ratification might fail has drawn suffrage supporters, both men and women, here from all parts of the state. Pan Padilla, representative from Bernadillo claims to have enough votes pledged to defeat the measure in the house.

GOVERNOR SOON TO SIGN RATIFICATION

SANTA FE, N. M., Feb. 20.—The house of representatives of the New Mexico legislature this afternoon ratified the federal woman suffrage amendment by a vote of 36 to 10. The senate passed the resolution yesterday by a vote of 17 to 5. All that remains to complete ratification is the signature of Gov. A. O. Larrazolo to the resolution, which will be affixed Saturday to present plans.

New Mexico is the 32nd state to ratify the federal woman suffrage amendment. During the first 15

PHOENIX PLUMBERS DEMAND \$12 A DAY

PHOENIX, Feb. 19.—The Journeymen Plumbers, one of the tightest organized trades of the city, has struck for a rise from \$9 to \$12 a day.

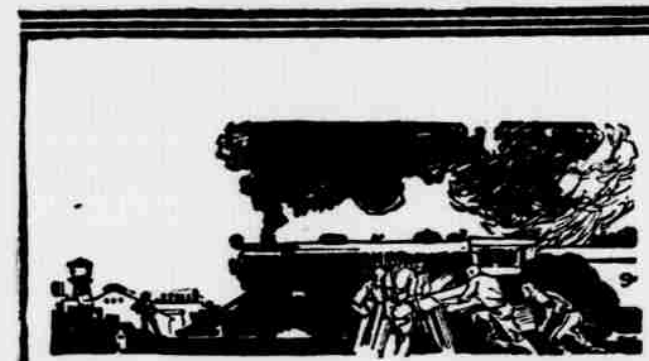
This ties up most of the plumbing work on several hundred buildings under construction.

The Master Plumbers absolutely refuse the demand and will bring in other men. The larger building contractors already have united in an open-shop agreement, while most of the electrical work is done by non-union firms.

ARIZONA NEWSPAPER MAN DIES FROM THE INFLUENZA

PHOENIX, Feb. 16.—John Hall, editor of the Arizona Gazette, died today of influenza, which developed into pneumonia. For about six years he was connected with the Tucson Citizen, first as city editor and later as managing editor. He is survived by his wife and one child, who came here from their home in Tucson when his illness became serious.

hours of the special session, which began at noon Monday, the fate of the amendment hung in the balance, owing to opposition to it in the lower house. There was a break in the ranks of the ants, however, yesterday afternoon after the leader had been deluged with messages from individuals and clubs from all parts of the state demanding that the amendment be ratified today's favorable action followed.



Carrying a Ton a Mile for less than a Cent

Freight rates have played a very small part in the rising cost of living.

Other causes—the waste of war, under-production, credit inflation—have added dollars to the cost of the necessities of life, while freight charges have added only cents.

The average charge for hauling a ton of freight a mile is less than a cent.

A suit of clothing that sold for \$30 before the war was carried 2,265 miles by rail from Chicago to Los Angeles for 16½ cents.

Now the freight charge is 22 cents and the suit sells for \$50.

The cost of the suit has increased 20 dollars.

The freight on it has increased only 5½ cents.

Other transportation charges enter into the cost of the finished article—carrying the wool to the mills and the cloth to the tailors—but these other charges amount to but a few cents more.

The \$10 pair of shoes that used to sell for \$5 goes from the New England factory to the Florida dealer for a freight charge of 5½ cents—only one cent more than the pre-war rate.

Beef pays only two-thirds of a cent a pound freight from Chicago to New York.

American freight rates are the lowest in the world.

This advertisement is published by the Association of Railway Executives

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